



North America Europe Asia

200 Park Avenue
New York, NY 10166
T +1 212 294 6700
F +1 212 294 4700

August 5, 2020

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 08/05/2020

SUZANNE JAFFE BLOOM

Partner
212.294.4604
SBloom@winston.com

Hon. Valerie E. Caproni
United States District Court
for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

**Re: *MSP Recovery Claims, Series LLC v. AIG Property Casualty Company*,
Case No. 1:20-cv-02102-VEC (S.D.N.Y.)**

Dear Judge Caproni:

We represent defendant AIG Property Casualty Company (“AIGPCC”) in the above-referenced matter. Pursuant to Rules 2(C) and 3(A) of your Honor’s Individual Rules of Practice, we respectfully write on behalf of all parties to jointly request an adjournment of the Initial Pretrial Conference currently scheduled for August 14, 2020 to September 11, 2020, with an accompanying adjournment of the deadline to submit revised pre-conference submissions from August 6, 2020 to September 3, 2020. This is the parties’ third joint request for an adjournment of the Initial Pretrial Conference.

Procedural History:

Plaintiff filed its Complaint in this action on March 10, 2020. On April 2, 2020, the Court issued a Notice of Initial Pretrial Conference setting the Initial Pretrial Conference for June 26, 2020 (ECF No. 6). On April 7, 2020, the Court granted AIGPCC’s first request for an extension of time to answer, move against or otherwise respond to the Complaint to June 25, 2020 (ECF No. 13). On June 18, 2020, the parties submitted the joint letter and Civil Case Management Plan and Scheduling Order required by the Court’s Notice of Initial Pretrial Conference (ECF No. 14). On June 23, 2020, the parties’ jointly requested a brief adjournment of the Initial Pretrial Conference (from June 26, 2020 to July 24, 2020) (ECF No. 15), which this Court granted later that same day while also ordering the Parties to submit revised pre-conference submissions no later than July 16, 2020 (ECF No. 16). On June 25, 2020, AIGPCC filed (i) a Motion to Dismiss Plaintiff’s Complaint and supporting Memorandum of Law (ECF Nos. 19-20); (ii) a Motion to Strike Class Allegations and supporting Memorandum of Law (ECF Nos. 22-23); and (iii) a Motion for Costs and for a Stay Pending Payment of Costs Pursuant to Fed. R. Civ. P. 41(d) and supporting Memorandum of Law (ECF Nos. 24 and 25) (collectively, the “Motions”). Upon the parties’ agreement, the Court twice extended the deadlines for Plaintiff to file oppositions to the Motions (to August 11, 2020) (ECF Nos. 29, 35) and for AIGPCC to file reply briefs in further support of

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the Motions (to September 22, 2020) (ECF Nos. 31, 35). On July 15, 2020, the Court granted the parties' Joint request that the July 24, 2020 Initial Pretrial Conference be adjourned to August 14, 2020, with an accompanying adjournment of the deadline to submit revised pre-conference submissions from July 16, 2020 to August 6, 2020 (ECF No. 33).

Current Joint Request for Adjournment:

The parties respectfully request this adjournment of the Initial Pretrial Conference and deadline to submit revised pre-conference submissions in order to permit the parties additional time to confer regarding the case schedule and a potential agreement to jointly request a stay of discovery pending resolution of AIGPCC's Motions (and any motions to dismiss any amended complaints filed by Plaintiff) in exchange for an agreement by AIGPCC to promptly commence data matching discovery proposed by Plaintiff if the Motions (and any motions to dismiss any amended complaints filed by Plaintiff) are denied, as discussed in the parties' June 18, 2020 joint letter and Civil Case Management Plan and Scheduling Order (ECF 14 at 3). The parties' request for additional time to continue their good faith discussions regarding a potential agreement related to discovery and the case schedule is necessitated in part by the recent closure of Plaintiff's office resulting from multiple COVID-19 positive test results and the impacts of the recent storm Isaias.

This is the parties' third request for an adjournment of the Initial Pretrial Conference and all parties are available on the requested date. Accordingly, the parties jointly request that the August 14, 2020 Initial Pretrial Conference be adjourned to September 11, 2020, with an accompanying adjournment of the deadline to submit revised pre-conference submissions from August 6, 2020 to September 3, 2020.

Should your Honor require any additional information, please feel free to contact me. We appreciate your consideration in this matter.

Respectfully Submitted,

/s/ Suzanne Jaffe Bloom
Suzanne Jaffe Bloom

cc: All Counsel of Record (via ECF)

Application GRANTED. The August 14 initial conference is adjourned to **September 11, 2020, at 3:00 P.M.** The dial-in information remains the same: 1-888-363-4749, access code 3121171#, and security code 2102. No further extensions.

SO ORDERED.

Date: 08/05/2020



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE